

**IN THE FIRST JUDICIAL DISTRICT COURT
BOX ELDER COUNTY, STATE OF UTAH**

STATE OF UTAH,	Plaintiff,	DECORUM ORDER
vs		Case No. 051100219
GLENN HOWARD GRIFFIN,	Defendant.	HON. BEN H. HADFIELD

The Court anticipates that the trial of this case may generate substantial public interest and media attention. In light of this possibility, the Court has set forth below several rules of conduct and other guidelines designed to govern the expectations of the people involved in the trial and those observing the trial so that the decorum of an open court will be maintained throughout the proceedings. The overall purpose of these rules and guidelines is to secure the defendant's constitutional right to a fair and impartial trial while permitting the public to exercise its First Amendment right of access to criminal proceedings, to protect the identity and privacy of jurors, and to protect jurors, witnesses, and parties from unnecessary commotion, confusion, or influence.

IT IS THEREFORE ORDERED that the following rules and guidelines for the conduct of the trial be adhered to. If regulation of any matter discussed appears to the Court not to be necessary or require modification, the Court may rescind or modify that portion of the order.

Seating in the Courtroom

The Court anticipates that members of the immediate family of the defendant and of the alleged victim will attend the trial sessions. The Court also recognizes the fact that most members of the public will be informed of the conduct of these proceedings only through reports made by the media. The Court anticipates that there will be sufficient seating to accommodate all who desire to attend. However, if the number of persons seeking to attend exceeds the capacity of the courtroom, the Court will arrange for courtroom passes to be issued in order to assure that family members and members of the media are able to attend.

The protocol for seating will be as follows:

1. There will be no reserved seating during the trial sessions unless circumstances dictate otherwise. If necessary, the first row will be reserved for members of the media.
2. The seating location of the pool photographer will be at the direction of the Court.

3. All persons desiring to attend must be in the courtroom and seated no less than five minutes prior to the time set for the start of each court session.

4. Due to the size of the jury venire being called by the Court, seating in the courtroom for the hearing to select the jury will be limited.

Rules of Conduct for the Trial Sessions

Pursuant to Section 78-7-5 of the Judicial Code and Rule 33 of the Utah Rules of Criminal Procedure, the Court sets forth the following rules of conduct for the trial sessions in the above-titled case:

1. Any person entering the courthouse must first pass through a magnetometer and, if necessary, will be subject to a search of his or her person and any containers in his or her possession. This includes any still photography or video equipment.

2. Quiet and order among those observing the trial shall be maintained at all times during the course of the trial. Audible comments of any kind by any spectator during the trial sessions and provocative or uncivil behavior within the courthouse at any time will not be tolerated.

3. Members of the media and the public will be expected to dress in a manner consistent with the decorum of a judicial proceeding.

4. The wearing of pins, buttons, signs, clothing, etc., in the courthouse, which expresses support for or against the defendant or the prosecution in this case, shall be prohibited.

5. Court personnel, jurors, witnesses, parties, counsel and their supporting staff only shall be permitted before the bar railing. No member of the public or representative of the media shall be permitted before the bar railing unless called by the Court.

6. All cellular phones and pagers must either be turned off or switched to silent mode in the courtroom.

7. No electronic audio recording devices shall be permitted in the courtroom. Any person violating these rules of conduct will be subject to the discipline of the Court, including, but not limited to, the contempt authority of the Court and barring the person from the courtroom.

Guidelines for the Press

1. Rule 4-401 of the Code of Judicial Administration, which governs the conduct of the media in reporting criminal court proceedings, is attached to this order. The Court expects that

Rule 4-401 will be followed and strongly recommends that the media adhere to the provisions of the Utah Principles and Guidelines for News Reporting.

2. All still photography equipment in the courtroom must be operated in a manner that does not disturb or disrupt the decorum of the proceedings or distract the participants.

3. No flash photography shall be permitted in the courtroom.

4. No photographs or video shall be permitted of any juror or prospective juror. Moreover, publication in any way of the name or address of any juror or prospective juror or a likeness of any juror or prospective juror in any manner that discloses or may disclose the identity of that person is prohibited.

5. No contact or conversation with a prospective juror will be permitted until he or she is dismissed from the venire. Moreover, no contact or conversation will be permitted with any seated juror until discharged after trial. This prohibition shall apply to prospective jurors until they are dismissed from the venire. This prohibition shall also apply to jurors until the jury is discharged after trial.

6. Media representatives may use laptop computers in the courtroom so long as they do not disrupt court proceedings. Media interviews are limited to outside of the courtroom. Media must not obstruct ingress to or egress from the courthouse, the courtrooms, or the courthouse reception area. Video photography is limited to outside of the courthouse.

Any person violating these prohibitions will be subject to the discipline of the Court, including, but not limited to, the contempt authority of the Court and barring the person from the courthouse.

Jury Selection Proceedings

The jury selection hearing is considered a part of the trial of this case and all of the restrictions of this order shall apply.

Jury selection will begin on Tuesday, March 25, 2008. All prospective jurors have completed a jury questionnaire. Prospective jurors will be questioned individually on March 25, 26, and 27, 2008. Members of the venire panel will be assembled in the courtroom on Friday, March 28, 2008. Once a sufficient number of prospective jurors are passed for cause, the remaining members of the venire panel will be excused. A hearing will be conducted on Friday, March 28, 2008 at 9 a.m. for the purpose of allowing counsel to exercise their peremptory challenges and to finalize selection of the jury. Members of the press and general

public will be permitted to attend this hearing. Once this process has been completed, the trial will begin.

Schedule of the Trial Sessions

The Court will adhere to the following schedule in conducting trial sessions:


9:00 a.m. to 10:30 a.m. First Session
10:30 a.m. to 10:45 a.m. Morning Recess
10:45 a.m. to 12:00 p.m. Second Session
12:00 p.m. to 1:30 p.m. Noon Recess
1:30 p.m. to 3:00 p.m. Third Session
3:00 p.m. to 3:15 p.m. Afternoon Recess
3:15 p.m. to 5:00 p.m. Fourth Session
5:00 p.m. Evening Recess

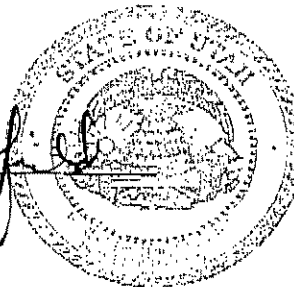
Trial Dates will be as follows:

March 25 through 27 - Juror Interviews.....8:30 a.m. to 5:00 p.m.
March 28 - Trial9:00 a.m. to 5:00 p.m.
April 2 through 4 - Trial9:00 a.m. to 5:00 p.m.
April 8 through 11 - Trial9:00 a.m. to 5:00 p.m.
April 16 through 18 - Trial9:00 a.m. to 5:00 p.m.
April 22 through 25 - Trial (if necessary).....9:00 a.m. to 5:00 p.m.

Date this 5 day of March 2008.

BY THE COURT:


Judge Ben H. Hadfield
First Judicial District Court



**Code of Judicial Administration
Article 4. Internal Court Operations**

Rule 4-401. Media in the courtroom.

Intent:

To establish uniform standards and procedures for conduct and the use of photographic equipment in the courts of the state.

To permit access to the courtroom by the news media while preserving the participants' rights to privacy and a fair trial.

Applicability:

This rule applies to the courts of record and not of record.

This rule governs photography and conduct during sessions of court and recesses between sessions.

This rule shall not diminish the authority, conferred by statute, rule or common law, of the judge to control the conduct of proceedings in the courtroom.

As used in this rule, the term "courtroom" includes the courtroom and areas immediately adjacent to the courtroom.

Statement of the Rule:

(1) (A) Filming, video recording, and audio recording in a trial courtroom are prohibited except to preserve the record of proceedings. The trial court's video signal of proceedings may be transmitted to an overflow room. No recording of the video may be made in the overflow room, except as part of a pilot program approved by the Judicial Council with the permission of the presiding judge of the court and the judge presiding at the hearing.

(B) Filming, video recording, and audio recording in an appellate courtroom are permitted to preserve the record of proceedings and as permitted by procedures of those courts. A video signal of proceedings may be transmitted to an overflow room where it may be copied.

(2) Still photography, filming and audio and video recording in the courtroom for ceremonial or court approved public information programs are permitted when arranged through the presiding judge of the court.

(3) No one may photograph a juror or prospective juror before the person is dismissed.

(4) Still photography in a courtroom is prohibited, but it may be permitted in the discretion of the judge presiding at the hearing. A request to photograph in a courtroom shall be filed with the judge presiding at the hearing at least 24 hours prior to the hearing. A judge may permit photography with less than 24 hours notice upon a showing of good cause. In determining whether to permit still photography and, if so, how to regulate it, the judge presiding at the hearing should consider whether:

(A) photography can be accommodated without distracting the participants;

(B) there is a substantial likelihood photography would jeopardize the right to a fair hearing or trial; or

(8) the privacy interests of the victim of a crime, a party in a civil case or a witness outweigh the interest of the public in access to a photograph of the person.

(5) Conduct in the courtroom.

(A) The judge presiding at the hearing may position reporters and equipment in the courtroom to permit reasonable news coverage. The judge may require reporters to share a single photographer.

(B) Photographers shall not use flash or strobe lights. Media representatives shall use normally available courtroom equipment unless the presiding judge and the judge presiding at the hearing approve modifications, which shall be installed and maintained without public expense.

(8) Proceedings in the courtroom shall not be disrupted. Members of the public in the courtroom shall:

(i) avoid calling attention to themselves;

(ii) not place equipment in or remove equipment from the courtroom while court is in session;

(iii) not make comments in the courtroom during the court proceedings;

(iv) not comment to or within the hearing of the jury or any member thereof at any time before the jury is dismissed;

(v) present a neat appearance in keeping with the dignity of the proceedings;

(vi) not conduct interviews in the courtroom until the hearing is concluded and the court is recessed;

(vii) not, if the hearing is a trial, conduct interviews in the courtroom until the trial is concluded;

(viii) not use a camera or tape recorder to conduct interviews in the courtroom; and

(ix) comply with the orders and directives of the court.

(6) The court may remove anyone violating these rules from the courtroom and revoke the privileges contained in this rule.

Certificate of Delivery

I certify that on March 6, 2008, I faxed or e-mailed a true and correct copy of the attached document to the following:

Steve Hunt
The Salt Lake Tribune
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Salt Lake City, Utah 84110

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Lori Hunsaker
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Nancy Volmer
Utah State Courts Public Information Officer

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 051100219 by the method and on the date specified.

METHOD NAME

Mail	RANDALL W RICHARDS Attorney DEF 2550 WASHINGTON BLVD STE 300 OGDEN, UT 84401
Mail	H THOMAS STEVENSON Attorney PLA 3986 WASHINGTON BLVD SOUTH OGDEN UT 84403

Dated this 5 day of March, 2008.

Chappesen
Deputy Court Clerk